

Exhibit Q

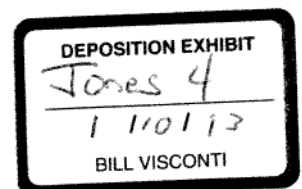
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:	:	Case No. 06-10683(JMP)
	:	
Keisha Jones	:	<u>NOTICE OF MOTION TO REMOVE</u>
	:	<u>PRO SE DEBTOR'S FILE FROM THE</u>
	:	<u>INTERNET AND SEAL THE RECORD</u>
Debtor	:	

I, Keisha Jones, will respectfully move this Court on August 24, 2006 at 10am, to remove pro se debtor's file from the internet and to seal the record. I am a victim of identity and bank data theft and I am fearful for my safety and well being.

BACKGROUND

1. I am a small business owner. In 2005 money was stolen from my business checking account at Commerce Bank. The very next day, 5/23/05, two news articles were published on the internet titled, "Former Bank Employees Are Charged In Data Heist" and "Bank data theft could hit nearly 700,000: Customer's financial records stolen by employees". Both articles implicate Commerce Bank, Wachovia, Bank of America and others. My lawsuit against Commerce Bank alleges that it caused the theft of my money, personal and business information. In court papers, Commerce Bank concedes that there is "...a fraudulent scheme by various bank employees, including certain former Commerce employees, to take confidential information from the databases of the bank for which they worked..." I am not an attorney, yet I am desperately trying to defend myself against Commerce Bank, while simultaneously trying to rebuild my personal and professional life. I've always worked hard to secure contracts, earn an honest living by helping others (teens to retirees) to start and manage businesses and grow my own company in the process.



2. In my quest for justice, I have researched numerous cases and in doing so, I am scared for my life. I do not engage in any legitimate business activities that would require a background check. This precludes me from seeking supplemental employment to aggressively pay off legitimate debts. The fear of being falsely arrested and physically harmed is real.

3. Through discovery, I learned that identity thieves secured employment with at least 4 businesses in 2005. Consequently, fraudulent wages were reported to the social security administration and IRS in my name and social security number. They also filed a fraudulent tax return through H&R Block and got away with a "rapid refund" in excess of \$5,000; ran up a \$1,639 cell phone bill; obtained DMV issued identification with fake documents; opened a fraudulent Commerce Bank account using my personal information, attempted to cash a fake check in the amount of \$2,427.89. The identity thieves also deposited a fake State Farm insurance check in the amount of \$3,764.66. My legitimate business insurance policy was with State Farm and the premium was debited from my Commerce Bank business checking account. Logical thinking would lead a reasonable person to believe that identity thieves were privy to my confidential payee information at Commerce Bank. Therefore, I ceased business operations June 2005 once I realized the magnitude of the situation and experienced Commerce Bank's unwillingness to cooperate, even after I contacted Commerce Bank's CEO's office three times last year on June 1, 2005 and a fourth time on July 12, 2005 for answers. The discovery process continues.

4. I have not had the courage or emotional strength to uncover the damage done to my now defunct corporation nor have I filed tax returns. I have and continue to receive unsolicited and suspect mail and phone calls. I was so scared in September 2005, that I called the phone company to try to trace the calls. When that didn't work, because law enforcement

had to obtain the information on my behalf, I called my local precinct October 2005 to ask the Detective on my case to listen to the frightening distorted voicemail messages I was receiving. I had no idea who was calling and thought it was the ring of identity thieves taunting me. Detective Scanlon informed me that it was probably a computer generated call from either a collection agency or telemarketer. I was so devastated and humiliated.

5. Prior to identity and bank data theft, I never received unsolicited mail or phone calls. I placed my phone numbers on the national do not call list from the outset, my personal information was removed from marketing databases with the credit bureaus many years ago, I instructed my legitimate creditors not to send convenience checks in the mail unless I specifically requested them and I paid my bills. I have handled my finances with precision up to this point.

6. I will dispute a claim that I believe is a result of identity theft by sending a letter to the creditor requesting supporting documents in accordance with Section 609 of the Fair Credit Reporting Act. My legitimate debts and arrears are a direct result of my inability to work in 2005 due to depression. I know my creditors very well and they are few because of my diligent financial management practices over the years. Unsolicited mail and calls are a direct result of my information in the public domain. Access to my life on paper is the beginning of attempts to contact me for unknown, unsubstantiated and ill willed reasons. I do not owe anyone anything resulting from fraudulent business dealings.

IRREPARABLE HARM

7. In Kamara v. City of New York and New York City Police Officer Louis Camello, an innocent mother was falsely arrested as a result of an investigation into an identity theft ring in an apartment complex. Ms. Kamara was in the privacy of her own home when

“officers broke open the door”, searched the apartment, seized numerous items and arrested Ms. Kamara, “along with 38 other individuals” in and around the apartment complex. Ms. Kamara and “24 other individuals” were falsely arrested and/or not prosecuted.

8. In Lewis v. United States of America and Ty C. Mueller, Mr. Lewis was falsely arrested as a result of an identity thief applying for and receiving FEMA benefits in Mr. Lewis’ name. This case is beyond belief. Mr. Lewis asserted that his wallet was stolen. It wasn’t until after being arrested, by appointment, incarcerated for days and bailed out of jail, did the Assistant District Attorney open a file folder, “looked into the file, looked back at [Mr. Lewis], and he then almost immediately stated words to the effect of “you’re not the guy”.”

9. On Wednesday, July 12, 2000, identity theft victim Michelle Brown testified during a hearing before the Senate Committee on the Judiciary Subcommittee on Technology, Terrorism and Government Information on “Identity Theft: How to Protect and Restore Your Good Name”. In Ms. Brown’s written testimony, she stated, “Over the course of a year and a half, my name, personal identifiers and records were grossly misused to obtain over \$50,000 in goods and services, to rent properties, and to engage in federal criminal activities-namely drug trafficking. During the course of 1999, I spent countless sleepless nights and seemingly endless days, dedicating my valuable time, energy, peace of mind, and what should have been a normal life, trying to restore my credit and my life.” Ms. Brown continues by stating “Returning from a trip to Cabo San Lucas, I was held at LAX’s Customs and Immigration for an hour while I explained the circumstances of my erroneous link with her criminal record (after my passport was swiped in the computer). As I presented endless documentation of court records, police filings, etc., and explained my situation in a stream of tears, I knew then that I had become erroneously linked with [Heddi’s] criminal record.” Ms. Brown’s identity thief

was “arrested in Texas for smuggling 3,000 pounds of marijuana, she identifies herself as me to the DEA and to a federal magistrate. The arrest is recorded in my name, “I” am subsequently named in the criminal complaint, and listed as the DEA’s informant. She was somehow set free even though my name and Drivers’ License number was flagged with fraud since January 1999.” I agree with Ms. Brown’s statement that, “No words will ever be strong enough to completely convince others what this period was like, filled with terror, aggravation, unceasing anger and frustration as I woke every day (since my discovery of the identity fraud in January 1999) with emotionally charged, livid angst.”

10. It will take an act of Congress to resolve issues around privacy, brokering of personal information, the need for the financial industry to accurately identify criminals and separate high credit risks from innocent, hardworking, creditworthy individuals. In United States of America (for the Federal Trade Commission) v. ChoicePoint Inc. hundreds of identity theft cases were reported to the FTC after identity thieves used fake credentials to open accounts with ChoicePoint. ChoicePoint sells consumer reports to subscribers; “products and services draw upon billions of records collected and maintained by ChoicePoint that contain the personal information of consumers including social security numbers, dates of birth, bank and credit card account numbers, and credit histories, much of which is sensitive and not publicly available.”

11. In Resmburg v. Docusearch, the New Hampshire Supreme Court held that information brokers and private investigators can be liable for the harms caused by selling personal information (Source: Electronic Privacy Information Center www.epic.org/privacy/boyer). In this case, a young woman named Amy Boyer was murdered

by a stalker who obtained her personal information from Docusearch, an internet-based investigation and information service. The murderer maintained a website with the plot. This case took my breath away. There are no words to describe what I am feeling. None.

CONCLUSION

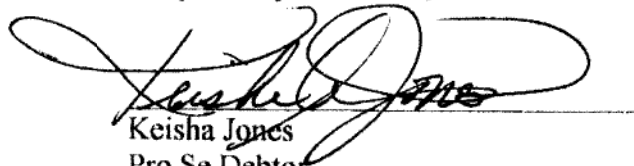
12. Debtor's Exhibit 1 are documents from a progressive state on the identity theft issue, California's Office of Privacy Protection in the California Department of Consumer Affairs. California took substantive action a few years ago. NY offers no solutions when viable options exist. Debtor's Exhibit 2 is White House Press Releases and Fact Sheet dated May 10, 2006. I do not believe President Bush heard all of the above referenced cases, but clearly the President sees the need to take steps to protect the public.

13. My ability to regain financial independence, manage and grow my small business is directly tied to my good name, reputation and clean records. I have never been arrested. I cannot continue to live in fear and chaos. It's destroying me. I am in God's hands now.

WHEREFORE, Debtor respectfully requests the Court to grant this motion and for such other and further relief as this Court deem just and proper.

Dated: July 17, 2006
Bronx, New York

Respectfully submitted,


Keisha Jones
Pro Se Debtor
Post Office Box 634 Bronx, NY 10451
Tel: 212-495-9187

To:
Jeffrey L. Sapir, Esq.
Trustee
399 Knollwood Road, Suite 102
White Plains, NY 10603

U.S. Trustee
33 Whitehall Street, 21st Floor
New York, NY 10004